



United States Attorney
Southern District of New York

MEMORANDUM

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

December 28, 2007

Honorable Gabriel W. Gorenstein
United States Magistrate Judge
United States Courthouse
500 Pearl Street
New York, N.Y. 10007

Re: United States v. Rafael Almanzar
07 Civ. 9489 (RMB) (GWG)
06 Cr. 225 (RMB)

Dear Judge Gorenstein:

The Government respectfully submits this letter to request a 30-day extension of time from January 2, 2008, until February 2, 2008, to respond to the petition pursuant to 28 U.S.C. § 2255 filed by Rafael Almanzar. This is the Government's first request, and the reason for the request is that the Government has ordered – and is still awaiting – various federal and state files related to the petitioner's case. These files are required to properly assess and respond to the petitioner's claims. The Government expects that it will be able to obtain the necessary information in 30 days. Accordingly, the Government requests that its response to Almanzar's habeas petition be due on February 2, 2008.

*Granted. Petitioner may
respond within 30 days thereafter.*

SO ORDERED: DATE: 1/2/08

GABRIEL W. GORENSTEIN
UNITED STATES MAGISTRATE JUDGE

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney

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cc: Rafael Almanzar, Pro Se